REMARKS

Reconsideration is respectfully requested in view of the remarks made herein. Claims 1-21 and 23 are pending and stand rejected. Claims 1, 12, 18 and 21 are independent claims and have been amended. No new matter has been added. Support for these amendments can at least be found in the specification on page 6, line 19 – page 7, line 3.

Claims 1-20 stand rejected under 35 USC §103(a) as being unpatentable over Miyachi (USPPA no. 2003/0043165) in view of Myers (US Pub. No. 2002/0041288 A1). Claims 21 and 23 stand rejected under 35 USC §103(a) as being unpatentable over Myers in view of Miyachi.

Although applicant respectfully disagrees, to further prosecution independent claims 1, 12, 18 and 21 have been amended to recite the limitations of:

> "adjusting said individual colors of said out-of-gamut digital data by linearly scaling said individual colors based on a smallest value of said digital data individual colors, wherein said adjusted smallest value is set to a known value within said gamut of the color image **by subtracting a value equal to the of the out-of-gamut data from said individual colors**; and
>
> scaling said adjusted colors to a maximum value based on a maximum value of one of said adjusted colors **by multiplying said individual colors by a ratio of the maximum value of the gamut of the color image to the maximum linearly scaled adjusted color**."

Applicants submit that Myers and Miyachi, alone or in combination, fail to teach the above limitations, as amended in claims 1, 12, 18 and 21.

Miyachi discloses a system for adjusting the color of a display device by increasing a gradation level of a color signal having a highest gradation level while decreasing a gradation level of a color signal having the lowest gradation level when the gradation levels are not equal. Miyachi discloses in paragraph [0071] the adjustment of a color gradation level as a function of the other colors and that negative values are fixed to a zero value. The Final Office Action and Advisory Action indicate that the limitation of "smart clipping the corrected image by "adding white" to out-of-gamut digital data of the color image..." is shown in Miyachi in [0071] applicants respectfully disagree. In [0071] Miyachi teaches color conversion of "the gradation values of R, G and B of the inputted color image signal to, r', g' and b' which are the gradation values calculated by the following equations. (Note; when a calculation result is a minus value, it is denoted by 0)." As previously noted that this is not the equivalent to adding white, but is more equivalent to 'clipping' as further described in the present application, page 4, line 24 to page 5, line 23. The present invention does not simply set negative color data values to zero but "adds white" proportional to the out-of-gamut data, see page 6, line 29 – page 7, line 3 and then further scales the other color data. Accordingly, Miyachi fails to disclose a system wherein said adjusted smallest value is set to a known value within said gamut of the color

image **by subtracting a value equal to the of the out-of-gamut data from said individual colors**;.

As further indicated by the Office Action, Miyachi fails to disclose a system wherein the color values are linearly adjusted such that the smallest value is set to a known value within the gamut of colors as is recited in the claims.

Myers discloses a system for matching color displayed by source and destination display devices and particularly for providing color matching between a computer monitor and an ink printer.

The Final Office Action refers to Myers for teaching "adjusting said individual colors of said out-of-gamut digital data by linearly scaling said individual colors based on a smallest value of said digital data individual colors, wherein said adjusted smallest value is set to a known value within said gamut of the color image". However a review of the cited sections ([0029], [0036]) reveals that Myers discloses using *ratio values of the source and destination display devices*, which are scaled and then linearly interpolated over a range, and not "out-of gamut digital data" as claimed. Importantly, the present invention allows for the colors of the input signal that can be represented on the display to be un-affected, but as a result of this correction, colors that cannot be represented are mapped to a color inside the gamut." See page 2, lines 1-13. Instead Myers teaches a color ratio that will cause the destination device to display a color that

essentially matches each of fully saturated single and dual colors of a source display device. See Abstract.

Hence, Myers fails to disclose adjusting said individual colors of said out-of-gamut digital data by linearly scaling said individual colors based on a smallest value of said digital data individual colors **by subtracting a value equal to the of the out-of-gamut data from said individual colors**, as is recited in the claims.

In addition, Myers fails to disclose "scaling said adjusted colors to a maximum value based on a maximum value of one of said adjusted colors **by multiplying said individual colors by a ratio of the maximum value of the gamut of the color image to the maximum linearly scaled adjusted color**."

The Advisory Action indicates these limitations are shown in Myers in paragraph [0061] – [0063], in particular, "which shows the scaling of the input to match the maximum of the target color gamut..." However, the present invention does not scale the input to match the maximum of the target color gamut, but scales the adjusted color (not the original input color) using a ratio of the maximum value of the gamut of the color image to the *maximum linearly scaled adjusted color.*

Accordingly, applicants respectfully submit that independent claims 1, 12, 18 and 21are allowable.

With regard to the remaining claims, these claims depend from the independent claims 1, 12, 18 and 21 and are thus also allowable by virtue of their dependency upon an allowable base claim.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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